IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.2154 of 2006.
IN
FIRST APPEAL NO. 915 OF 2006.

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri K.K.Tated for the Applicant.

CORAM : ABHAY S.OKA, J.

DATED : 27th April, 2006.

P.C.:

1. Heard Shri Tated for the Applicant.

2. As the First Appeal is admitted for final hearing, interim relief during the pendency of the appeal will have to be granted, subject, however, to the conditions as indicated below.

3. There will be interim relief in terms of prayer clause (b) subject to condition that the Applicant will deposit with the Reference Court the entire amount due and payable under the impugned Award within a period of 12 weeks from today. If the amount is not deposited within the stipulated time, the interim stay granted will stand vacated without reference to the Court.

4. If the amount is deposited, the original Claimant will be entitled to withdraw the same on furnishing security to the satisfaction of the Reference Court.

5. If the amount deposited by the Applicant is not withdrawn by the original Claimant within six months from the date of deposit of the amount, the Reference Court will invest the said amount in a fixed deposit with any nationalised bank initially for a period of five years and thereafter the fixed deposit will be renewed from year to year. C.A. is disposed of.

6. Since this order is passed without notice to the Respondent, he is at liberty to apply for modification of the order.

Judge.